

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 3816 OF 2017

Swati Sunil Umrani

....Petitioner

Versus

State of Maharashtra & Anr.

....Respondents

Mr. Pavan Mali for the petitioner.

Mrs. N.S. Jain, APP for the respondent no.1/State.

Mr. Sachin Pawar with Himanshu Mahajan for respondent no.2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 12th OCTOBER, 2017

P.C. :

1. The petitioner herein has challenged the order of issuance of process under Section 138 of Negotiable Instruments Act. It is not in dispute that the order is revisable. The petitioner has not availed the alternate efficacious remedy which is available in accordance with the law.

2. Hence, I am not inclined to invoke the Writ jurisdiction. The Writ Petition No. 3816 of 2017 is therefore, dismissed with liberty to the petitioner to file the appropriate proceedings before the Sessions Court. The applicant will be entitled to seek condonation of delay in terms of Section 14 of Limitation Act.

3. The learned counsel for the respondent submits that the complainant will not proceed with the matter before the Trial Court

which is scheduled on 24th October, 2017. The statement is accepted.

4. In the event, revision application is filed before the Sessions Court within two weeks from today, the learned Sessions Judge shall endeavour to dispose it of as expeditiously as possible.

(SMT. ANUJA PRABHUDESSAI, J.)